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| 09/650,173 | 08/29/2000 | Nicholas J. Lee | AMAZON.059A | 8624 |

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KNOBBE MARTENS OLSON & BEAR LLP
2040 MAIN STREET
FOURTEENTH FLOOR
IRVINE, CA 92614

EXAMINER

OPSASNICK, MICHAEL N

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2655

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/650,173

Applicant(s)

LEE, NICHOLAS J.

Examiner

Michael N. Opsasnick

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- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 May 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. In view of newly found prior art, the finality of Paper # 14 is removed, and prosecution on the merits is reopened.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Loghmani et al (6377927) in view of Brotman et al (5917889) in further view of Weber (6434524).

As per claims 1, 14, Loghmani et al (6377927) teaches prompting a user to enter a voice query for searching a domain of items (as use inputting a query to shop for books – col. 9 line 58 – col. 10 line 10), wherein the input is voice input (fig. 10, via telephone, and thru voice query – col. 10 line 10), and the results are presented back to the user, via voice (col. 10 lines 25-29). The voice recognition uses a voice optimized database to interpret the user's input (col. 4 lines 38-55; fig. 6).

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Loghmani et al (6377927) does not explicitly teach prompting the user to submit a set of characters with respect to the original input, however, Brotman et al (5917889) teaches a processing environment wherein the system prompts a user for character input (col. 1 lines 40-55), narrowing down the domain based on the character input (Fig. 2, subblock 630); creating a dynamic grammar based upon the character input (Fig. 2, subblock 630), and prompting the user to input the voice version of the character input (Fig. 2, subblocks 640-690). Therefore, it would have been obvious to one of ordinary skill in the art of speech recognition to add to the speech recognition process of Loghmani et al (6377927), a prompt for the user to specify characters and to verify the input because it would advantageously reduce the domain field of choices, as well as improving the accuracy process in using the dual character input and followup speech verification (Brotman et al (5917889), col. 1 lines 40-45, referring back to col. 1 lines 10-26).

To summarize, the combination of Loghmani et al (6377927) in view of Brotman et al (5917889) teaches a system performing a voice query to search a domain of items, returning a domain of results based on the voice query, prompting the user to enter characters, the system generating a further limited domain, the system prompting an utterance indicative of the characters, and the system inquiring if the generated string is the intended string.

The combination of Loghmani et al (6377927) in view of Brotman et al (5917889) does not explicitly teach updating the dynamic grammar to reflect valid utterances, however, Weber (6434524) teaches the updating of dynamic grammar based

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upon successful utterance matches (Weber (6434524)), col. 13 lines 13-23). Therefore, it would have been obvious to one of ordinary skill in the art of speech recognition technologies to modify the teachings of Loghmani et al (6377927) in view of Brotman et al (5917889) with updating the dynamic grammar for the user because it would advantageously deal with the voice idiosyncrasies of individual users (Weber (6434524), col. 13 lines 23-24).

As per claim 2, using the combination of Loghmani et al (6377927) in view of Brotman et al (5917889) in further view of Weber (6434524), Brotman et al (5917889) teaches “prompting a user.....query term” as N character submission (col. 4 lines 36-41)

As per claims 3-6, using the combination of Loghmani et al (6377927) in view of Brotman et al (5917889) in further view of Weber (6434524), Weber (6532444) teaches using subcategories labeled as “author” (Weber, col. 6 lines 56-63), as well as Loghmani et al (6377927) (col. 10, line 1)

As per claim 7, using the combination of Loghmani et al (6377927) in view of Brotman et al (5917889) in further view of Weber (6434524), Brotman et al (5917889) teaches user selected keypad entry (col. 4 lines 36-41)

As per claim 8, using the combination of Loghmani et al (6377927) in view of Brotman et al (5917889) in further view of Weber (6434524), Brotman et al (5917889)

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teaches “user uttering the characters and using the keypad entries of the.....character” as using utterances to match (col. 4 lines 15-35).

As per claim 9, using the combination of Loghmani et al (6377927) in view of Brotman et al (5917889) in further view of Weber (6434524), Brotman et al (5917889) teaches dynamic grammar usage (col. 4 lines 47-52)

As per claim 10, using the combination of Loghmani et al (6377927) in view of Brotman et al (5917889) in further view of Weber (6434524), Brotman et al (5917889) teaches extracting text from a subset of items derived from a database (col. 5 lines 25-30)

As per claim 11, using the combination of Loghmani et al (6377927) in view of Brotman et al (5917889) in further view of Weber (6434524), Brotman et al (5917889) teaches storage of the subset (col. 5 lines 18-24)

As per claim 12, using the combination of Loghmani et al (6377927) in view of Brotman et al (5917889) in further view of Weber (6434524), Brotman et al (5917889) teaches a fixed number of input characters (col. 5 lines 25-30)

As per claim 13, using the combination of Loghmani et al (6377927) in view of Brotman et al (5917889) in further view of Weber (6434524), Brotman et al (5917889) teaches determination of a threshold number of characters (col. 5 lines 25-30).

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4. Claims 15,16,20-26,28,29,31-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Loghmani et al (6377927) in view of Brotman et al (5917889) in further view of Weber (6434524).

As per claims 15,16,24-26,33,35,36,40-43,48-51,54,55 Loghmani et al (6377927) teaches prompting a user to enter a voice query for searching a domain of items (as use inputting a query to shop for books –col. 9 line 58 – col. 10 line 10), wherein the input is voice input (fig. 10, via telephone, and thru voice query – col. 10 line 10), and the results are presented back to the user, via voice (col. 10 lines 25-29). The voice recognition uses a voice optimized database to interpret the user's input (col. 4 lines 38-55; fig. 6).

Loghmani et al (6377927) does not explicitly teach prompting the user to submit a set of characters with respect to the original input, however, Brotman et al (5917889) teaches a processing environment wherein the system prompts a user for character input (col. 1 lines 40-55), narrowing down the domain based on the character input (Fig. 2, subblock 630); creating a dynamic grammar based upon the character input (Fig. 2, subblock 630), and prompting the user to input the voice version of the character input (Fig. 2, subblocks 640-690). Therefore, it would have been obvious to one of ordinary skill in the art of speech recognition to add to the speech recognition process of Loghmani et al (6377927), a prompt for the user to specify characters and to verify the input because, it would advantageously reduce the domain field of choices, as well as improving the accuracy process in using the dual character input and followup speech

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verification (Brotman et al (5917889), col. 1 lines 40-45, referring back to col. 1 lines 10-26).

To summarize, the combination of Loghmani et al (6377927) in view of Brotman et al (5917889) teaches a system performing a voice query to search a domain of items, returning a domain of results based on the voice query, prompting the user to enter characters, the system generating a further limited domain, the system prompting an utterance indicative of the characters, and the system inquiring if the generated string is the intended string.

The combination of Loghmani et al (6377927) in view of Brotman et al (5917889) does not explicitly teach updating the dynamic grammar to reflect valid utterances, however, Weber (6434524) teaches the updating of dynamic grammar based upon successful utterance matches (Weber (6434524), col. 13 lines 13-23). Therefore, it would have been obvious to one of ordinary skill in the art of speech recognition technologies to modify the teachings of Loghmani et al (6377927) in view of Brotman et al (5917889) with updating the dynamic grammar for the user because it would advantageously deal with the voice idiosyncrasies of individual users (Weber (6434524), col. 13 lines 23-24).

As per claims 17-19,20,27, using the combination of Loghmani et al (6377927) in view of Brotman et al (5917889) in further view of Weber (6434524), Weber (6532444) teaches using subcategories labeled as “author” (Weber, col. 6 lines 56-63), as well as Loghmani et al (6377927) (col. 10, line 1).

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As per claims 20,29,44,45, using the combination of Loghmani et al (6377927) in view of Brotman et al (5917889) in further view of Weber (6434524), Brotman et al (5917889) teaches “prompting a user.....query term” as N character submission (col. 4 lines 36-41)

As per claims 21,22, and 32,46, using the combination of Loghmani et al (6377927) in view of Brotman et al (5917889) in further view of Weber (6434524), Brotman et al (5917889) teaches user selected keypad entry (col. 4 lines 36-41)

As per claims 23,37, using the combination of Loghmani et al (6377927) in view of Brotman et al (5917889) in further view of Weber (6434524), Brotman et al (5917889) teaches determination of a threshold number of characters (col. 5 lines 25-30).

As per claims 28,38, using the combination of Loghmani et al (6377927) in view of Brotman et al (5917889) in further view of Weber (6434524), Brotman et al (5917889) teaches storage of the subset (col. 5 lines 18-24)

As per claim 31, using the combination of Loghmani et al (6377927) in view of Brotman et al (5917889) in further view of Weber (6434524), Brotman et al (5917889) teaches a fixed number of input characters (col. 5 lines 25-30)

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As per claim 33, the combination of Loghmani et al (6377927) in view of Brotman et al (5917889) in further view of Weber (6434524) teaches the first query as the voice query, and then a second query as the character input/voice verification input, as discussed above.

As per claims 34,47, using the combination of Loghmani et al (6377927) in view of Brotman et al (5917889) in further view of Weber (6434524), Brotman et al (5917889) teaches dynamic grammar usage (col. 4 lines 47-52)

As per claims 39,51,54, using the combination of Loghmani et al (6377927) in view of Brotman et al (5917889) in further view of Weber (6434524), Brotman et al (5917889) teaches extracting text from a subset of items derived from a database (col. 5 lines 25-30)

As per claims 46,52, using the combination of Loghmani et al (6377927) in view of Brotman et al (5917889) in further view of Weber (6434524), Brotman et al (5917889) teaches “user uttering the characters and using the keypad entries of the.....character” as using utterances to match (col. 4 lines 15-35).

Response to Arguments

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5. Applicant's arguments with respect the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please see newly listed related art on the PTO-892 form.

7. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872 9314,

(for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121
Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (703)305-4089, who is available Tuesday-Thursday, 9am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Doris To, can be reached at (703)305-4827. The facsimile phone number for this group is (703)872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2600 receptionist whose telephone number is (703) 305-4750, the 2600 Customer Service telephone number is (703) 306-0377.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mno
8/6/2004

Vijay Chawan
VIJAY CHAWAN
PRIMARY EXAMINER

8/7/04